UNITED STATES PATENT AND TRADEMARK OFFICE

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ART UNIT	PAPER NUMBER
2448	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	09/820,530	MAEHIRO, KAZUTOYO
	Examiner	Art Unit
	PHILIP C. LEE	2448

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 December 2009*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9 and 11-21* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-9 and 11-21* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☒ All   b)☐ Some * c)☐ None of:
        1.☒ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

1.   This action is responsive to the amendment and remarks filed on December 8, 2009.

2.   Claims 1-9 and 11-21 are presented for examination and claim 10 is canceled.

3.   The text of those sections of Title 35, U.S. code not included in this office action can be found in a prior office action.

Claim Rejections - 35 USC 112

3.   Claims 1, 5 and 9 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification does not disclose "storing setup information, for accessing that area of the database to be set by the server *and before the server sets the area of he database,* in a storage of he chairman video game terminal", and "transmitting, *while the server is setting the area of the database,* the invitation message…" as claimed in claim 1; Claims 5 and 9 also claim similar feature not disclose in the specification. Page 12, lines 6-12 of the specification merely states "The invitation message 206 can be invoked while the chat opening process is in progress. The user can invoke and edit the invitation message 206 by performing an operation required to invoke the message or selecting guests from an address book while the chat opening process is in progress. Then, after the chat has been opened, the invitation signal 207 can be transmitted to

other guests" (i.e., after the area in the database is set (chat has been open), then the invitation is

transmitted, and not transmitting, *while the server is setting the area of the database,* the

invitation message). Again in page 14, lines 2-6 of the specification states: "According to this

embodiment, even while the chat opening process is in progress, the video game machine 103a

can invoke the invitation message 206 so that the invitation signal 207 can be transmitted based

on this message…" (i.e., only the creating of the invitation message while the server is setting

the area of the database (chat opening process is in progress), and not transmitting, *while the*

server is setting the area of the database, the invitation message)

Claim Rejections – 35 USC 102

4.   Claims 1-2, 5-6, 9, 18 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by

Rafal et al, U.S. Patent Application Publication 2002/0002586 (hereinafter Rafal).

5.   As per claim 1, Rafal teaches the invention as claimed comprising:

        requesting, by a chairman video game terminal ([0042], host video game terminal), a

        server to set an area of a database for storing chat messages ([0012], [0029], [00124]-

        [0127], [0153])(request server to set an area for chatting by putting the area of a server

        into a Party Stage state for storing chat messages);

        storing setup information, for accessing the area of the database to be set by the server

        and before the server sets the area of the database, in a storage of the chairman video

game terminal ([0046], [0055], [0085] and [0086])(storing cookie including the URL (invitation code) at the user (host));

creating, by the chairman video game terminal and while the server is setting the area of the database, an invitation message comprising the setup information stored in the storage ([0046], [0055], [0035] and [0119]);

giving, by the chairman video game terminal, an instruction for transmission of the invitation message ([0035] and [0119]);

transmitting, while the server is setting the area of the database, the invitation message comprising the setup information from the chairman video game terminal to a guest video game terminal based on the instruction ([0046], [0055], [0035] and [0119])(sending an invitation with URL (invitation code) as setup information from host to server to guest);

receiving, by the guest video game terminal, the invitation message ([0038], [0046] and [0119]);

obtaining, by the guest video game terminal, the setup information from the invitation message ([0038] and [0046]) (obtaining the URL (invitation code) to access party);

creating, by the guest video game terminal, an access request signal based on the setup information ([0046] and [0112]) (user entering the URL (invitation code));

transmitting, from the guest video game terminal to the database, the access request signal created by the guest video game terminal in response to the guest video game terminal receiving a guest instruction ([0046] and [0112])(sending login request using the URL),

wherein the setup information is not visible on the guest video game terminal ([0087])

(URL (invitation code) contain hidden data),

wherein the setup information includes a password that is communicated from the

chairman video game terminal to at least one of the server and the guest video game

terminal without modification and that initiates and authenticates access to the area of the

database by the guest video game terminal ([0029]) (host presents password for setting up

the party).

6.   As per claim 2, Rafal teaches the invention as claimed in claim 1 above. Rafal further

teaches wherein the setup information comprises at least one of a name of an electronic

conference and a code number for accessing the area of the database ([0119], URL with

invitation code).

7.   As per claim 5, Rafal teaches the invention as claimed including:

        a chairman video game terminal ([0042], host video game terminal) comprising an area

requestor that requests a server to open a chat, said server opening said chat by setting an area of

a database for storing chat messages ([0012], [0029], [00124]-[0127], [0153]) (request server to

set an area for chatting by putting the area of a server into a Party Stage state for storing chat

messages), a storage that stores, before said server sets said area of said database, setup

information for accessing said area of said database ([0046], [0055], [0085] and [0086])(storing

cookie including the URL (invitation code) at the user (host)); an invitation message creator that

creates, while said server is setting said area, an invitation message comprising said setup

information stored in said storage ([0046], [0055], [0035] and [0119]); an instructor that issues

an instruction for transmission of said invitation message created by said invitation message

creator ([0035] and [0119]); and an invitation signal transmitter that transmits, while said server

is setting said area, said invitation message comprising said setup information to a guest video

game terminal in response to said instruction from said instructor ([0046], [0055], [0035] and

[0119])(sending an invitation with URL (invitation code) as setup information from host to

server to guest); and

said guest video game terminal including a setup information retriever that receives said

invitation message ([0038], [0046] and [0119]) and obtains said setup information ([0038] and

[0046])(obtaining the URL (invitation code) to access party); an access request signal source that

creates an access request signal comprising said setup information obtained by said setup

information retriever ([0046] and [0112])(user entering the URL (invitation code)); and a request

signal transmitter that transmits, to said database, said access request signal created by said

access request signal source in response to said guest video game terminal receiving a guest

instruction ([0046] and [0112])(sending login request using the URL),

wherein said setup information is not visible on said guest video game terminal ([0087])

(URL (invitation code) contain hidden data),

wherein said setup information includes a password that is communicated from said

chairman video game terminal to at least one of the server and the guest video game terminal

without modification and that initiates and authenticates access to the area of the database by the

guest video game terminal ([0029]) (host presents password for setting up the party).

8.   As per claim 6, Rafal teaches the invention as claimed in claim 5 above. Rafal further

teaches wherein said setup information comprises at least one of a name of an electronic

conference and a code number for accessing said area of said database ([0119]).

9.   As per claim 9, the claim is rejected for the same reason as claim 1 above.

10.   As per claims 18 and 20, Rafal teaches the invention as claimed in claims 1 and 5 above.

Rafal further teaches wherein the chairman video game transmits the setup information to the

server when requesting the server to set the area of the database for storing chat messages

([0028] and [0031]-[0037]).

Claim Rejections – 35 USC 103

11.   Claims 3-4 and 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rafal

in view of Slutsman et al, U.S. Patent 7,177,905 (hereinafter Slutsman).

12.   As per claims 3 and 7, Rafal teaches the invention as claimed in claims 1 and 5 above.

Although Rafal teaches transmitting the invitation message containing the ID number from the

chairman video game terminal to the guest video game terminal ([0035] and [0119]), however,

Rafal does not specifically teach receiving an opening response signal. Slutsman teaches

comprising:

receiving at the chairman's terminal, an opening response signal from said server, said opening

response signal indicating that said area has been set in said database, said opening response

signal comprises an ID number for allowing said server to identify said area of said database (see

Slutsman, col. 2, lines 49-56, 60-62; col. 3, lines 4-10),

transmitting from the chairman's terminal said invitation signal containing said ID number (see

Slutsman, col. 3, lines 17-24), and

adding said ID number contained in said invitation signal to said access request signal (see

Slutsman, col. 3, lines 30-33).

13.   It would have been obvious to one having ordinary skill in the art at the time of the

invention was made to combine the teachings of Rafal and Slutsman because Slutsman's

teaching of receiving an opening response signal would increase the alertness of Rafal's system

by allowing the host to be notified of area of the party has been set.

14.   As per claims 4 and 8, Rafal and Slutsman teach the invention substantially as claimed in

claims 3 and 7 above. Rafal further teaches wherein the setup information comprises at least one

of a name of the electronic conference and a code number for accessing the area of the database

([0119]).

15.   Claims 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rafal in

view of Morris et al, U.S. Patent 7,216,144 (hereinafter Morris)

16.   As per claim 11, Rafal teaches the invention as claimed in claim 1 above. Rafal does not

specifically teach a chat opening message comprising a type of the chat opening message and

title. Morris teaches creating by the chairman video game terminal a chat opening message

comprising a type of the chat opening message (1000, fig. 10), a message title (Buddy Chat, fig.

10), and a text box (Invitation message box, fig. 10), which are required to transmit the invitation

message to the guest video game terminal (col. 12, lines 19-25); giving an instruction from the

chairman video game terminal for transmission of the chat opening message (col. 12, lines 19-

25); and transmitting from the chairman video game terminal a chat opening signal based on the

instruction (col. 12, lines 19-25).

17.   It would have been obvious to one having ordinary skill in the art at the time of the

invention was made to combine the teachings of Rafal and Morris because Morris's teaching of

creating an opening message would increase the user's flexibility in Rafal's system by allowing a

host to specify the type and title of the party to be created.

18.   As per claim 12, Rafal and Morris teach the invention as claimed in claim 11 above.

Rafal and Morris further teach comprising input columns for an alias name of the chairman (see

Morris, buddy chat room box, fig. 10) and the password which are required to request the server

to open an electronic conference room (see Rafal, [0029]).

19.   It would have been obvious to one having ordinary skill in the art at the time of the

invention was made to combine the teachings of Rafal and Morris for the same reason as claim

11 above.

20.   As per claim 13, Rafal and Morris teach the invention substantially as claimed in claim

11 above.   Morris further teach the input columns for the alias name in the chat opening

message is displayed as an electronic conference room name in the invitation message (col. 12,

lines 28-31).

21.   It would have been obvious to one having ordinary skill in the art at the time of the

invention was made to combine the teachings of Rafal and Morris for the same reason as claim

11 above.

22.   As per claim 14, Rafal and Morris teach the invention substantially as claimed in claim

11 above.   Although Morris further teach transmitting a command for inviting selected guests

from the chairman video game terminal (col. 12, lines 19-25); and editing the invitation message

by selecting guests while the chat opening process is in progress (col. 12, lines 21-22), however,

Rafal and Morris do not teach selecting guests from address book. It would have been obvious

to one of ordinary skill in the art at the time the invention was made to include selecting names

to invite from address book (e.g., buddy list) because by doing so it would increase the efficiency

of their systems by allowing names to be referenced by the address book, hence allowing a user

to quickly retrieve contact name (e.g. screen names). Noted that it is obvious to one of ordinary

skill in the art at the time the invention was made that "yipster666" selected in fig. 10 of Morris's

reference could be a one of the screen name from the buddy list 210 shown in fig. 2).

23.   Claims 17, 19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Rafal in view of Cohen et al, U.S. Patent Application Publication 2009/0106416 (hereinafter

Cohen).

24.   As per claims 17, 19, and 21, Rafal teaches the invention as claimed in claims 1, 5 and 9

above. Rafal does not transmitting to the chairman video game terminal, an invitation answer

signal in response to the guest video game terminal receiving the guest instruction. Cohen

teaches transmitting, from the guest video game terminal to the chairman video game terminal,

an invitation answer signal in response to the guest video game terminal receiving the guest

instruction ([0082] and [0083]).

25.   It would have been obvious to one having ordinary skill in the art at the time of the

invention was made to combine the teachings of Rafal and Cohen because Cohen teaching of

transmitting to the chairman video game terminal, an invitation answer signal in response to the

guest video game terminal receiving the guest instruction would increase the alertness in Rafal's

system by allowing the host system to be notified of the invitation answer from a guest.

26.   Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rafal

and Slutsman in view of Morris.

27.   As per claim 15, Rafal and Slutsman teach the invention substantially as claimed in claim

3 above. Although Rafal and Slutsman teach generating command for inviting selected guests

by obtaining the password (see Rafal, [0029]) from the chat opening message and obtaining the

chat ID from the opening response signal (see Slutsman, col. 3, lines 17-24; col. 5, lines 44-53),

however, Rafal and Slutsman do not teach obtaining the alias name. Morris teaches generating

command for inviting selected guests by obtaining the alias name (fig. 10).

28.   It would have been obvious to one having ordinary skill in the art at the time of the

invention was made to combine the teachings of Rafal, Slutsman and Morris because Morris's

teaching of generating command for inviting selected guests by obtaining the alias name would

increase the user flexibility in Rafal's and Slutsman's systems by allowing invitation to be

created using the screen name of the recipient.

29.   As per claim 16, Rafal, Slutsman and Morris teach the invention substantially as claimed

in claim 15 above. Rafal and Slutsman further teach wherein the password and the chat ID are

recognized by the guest video game terminal during the exchange of the signals (see Slutsman,

col. 3, lines 17-24) but are not communicated to the guest through the screen (see Rafal, [0087]).

30.   Applicant's arguments with respect to claims 1-9 and 11-21, filed December 8, 2009,

have been fully considered but they are not persuasive.

31.   In the remarks, applicant argued that:

> (1)   Rafal fails to teach storing setup information in the chairman video
>
> game terminal before the server sets the area of the database.

(2)   Rafal fails to teach creating and transmitting, by the chairman

video game terminal, while the server is setting the area of the database,

an invitation message including the setup information stored in the

chairman video game terminal.

32.   In response to points (1) and (2), Rafal teaches codes including entry point URL is stored

on the user's browser (i.e., host) as cookie ([0085], [0086] and [0037])(i.e., storing setup

information, for setting the area of the database, in a storage section of the chairman video game

terminal). Rafal further teaches a host creates an email invitation that includes the entry point

URL and sends the email to the invited guest ([0119] and [0037]) (i.e., creating, by the chairman

video game terminal, an invitation message comprising the setup information stored in the

storage section of the chairman video game terminal; and transmitting the invitation message

comprising the setup message from the chairman video game terminal to a guest video game

terminal). Rafal teaches at the Pre-Party state ([0044]), the guest joins the party by coming to the

website at a URL specified in the invitation (i.e., by the entry point URL) ([0046]). As shown in

figure 1, elements 108a and 108b, and in paragraph 55, the party stage is the culminating event

of the Party Creation and Pre-Party stages. This means the storing of setup information in the

chairman video game terminal (i.e., storing of entry point URL in host), creating and

transmitting, by the chairman video game terminal, an invitation message comprising the setup

information stored in the chairman video game terminal (i.e., creating and transmitting invitation

email with entry point URL to guest) are before and while the server is setting an area of the

database (i.e., while in the Party Creation and Pre-Party stages and before the Party stage state).

It is noted that the term "setting" is interpreted as putting into a specified state. Thus, "setting an area in the database" is interpreted as putting an area in the database in the Party stage state as described above.

33.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip C Lee whose telephone number is (571)272-3967. The examiner can normally be reached on 8 AM TO 5:30 PM Monday to Thursday and every other Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Firmin Backer can be reached on (571) 272-6703. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Philip C Lee/

Primary Examiner, Art Unit 2448